IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1031 OF 2005

Shri Awadesh Kumar Singh ..Applicant.

V/s.

The State of Maharashtra & Anr. .. Respondents.

Shri S. R. Ganbawale for the Applicant.
Shri V.B.Konde-Deshmukh,APP for Respondent No.1.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 22, 2005

PC :-

. Heard the learned counsel for the parties.

2. In my opinion, having regard to the seriousness of the offence, not a case for anticipatory bail. I find substance in the submission of the learned APP that the applicant has approached the court with a specific case that the goods contained in the tanker, were sold by M/s. Vamotiwala Chem. Industries Pvt.Ltd., to M/s. J.V. Industries and the same were being transported for that purpose. During the investigation, however, it transpired that no company by name Vamotiwala Chemical Industries Limited, is in existence on the address provided in

the said document, Exh. 'C'. Similarly, investigation reveals that J.V. Industries has been closed almost a year back. On that basis, the matter is now being investigated for the offence under sections 467 and 468 of I.P.C. In this peculiar situation, not a case of anticipatory bail. Rejected.

3. It is made clear that the lower court shall decide the bail application on its own merits in accordance with law as and when occasion arise.

4. Ordered accordingly.

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